



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which patent is sought on the invention entitled: **IP MULTICAST PACKET BURST ABSORPTION AND MULTITHREADED REPLICATION ARCHITECTURE.**

The specification of which was filed on December 30, 2003 as application serial no. 10/749034.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) or patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application or patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anderson, Rob A.	Reg. No. 33,826	Hope, Libby	Reg. No. 46,774	Sayles, Crystal D.	Reg. No. 44,318
Bacon, Shireen	Reg. No. 40,494	Huter, Jeffrey B.	Reg. No. 41,086	Scott, Russell	Reg. No. 43,103
Barre, Michael	Reg. No. 44,023	Lam, Peter	Reg. No. 44,855	Shah, Ami P.	Reg. No. 42,143
Beale, Jay P.	Reg. No. 50,901	Lin, Issac	Reg. No. 50,672	Simon, David	Reg. No. 32,756
Brake, Edward	Reg. No. 37,784	Martinez, Anthony	Reg. No. 44,223	Stutman-Horn, Joni	Reg. No. 42,173
Burge, Ben	Reg. No. 42,372	McCall, Molly	Reg. No. 46,126	Tran, David	Reg. No. 50,804
Chen, George	Reg. No. 50,807	Menemeyer, Larry	Reg. No. 51,003	Travis, John F.	Reg. No. 43,203
Choi, Glen	Reg. No. 43,546	Nesheiwat, Michael J.	Reg. No. 47,819	Wells, Calvin	Reg. No. 43,256
Crawford, Ted A.	Reg. No. 50,610	Nicholls, Dennis A.	Reg. No. 42,036	Whittington, Stuart	Reg. No. 45,215
Diehl, Robert	Reg. No. 40,992	Parker, Lanny	Reg. No. 44,281	Willardson, Michael	Reg. No. 50,856
Dracger, Jeffrey S.	Reg. No. 41,000	Pedersen-Giles, Alan	Reg. No. 39,996	Wisor, Rita	Reg. No. 41,382
Gagne, Christopher	Reg. No. 36,142	Plimier, Michael D.	Reg. No. 43,004	Wong, Sharon	Reg. No. 37,760
Green, Sharmini N.	Reg. No. 41,410	Proksch, Michael	Reg. No. 43,021	Kuo, Jung-Hua	Reg. No. 41,918
Greenberg, Robert A.	Reg. No. 44,133	Reif, Kevin A.	Reg. No. 36,381		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Jung-hua Kuo Attorney at Law to the contrary.

Please direct all correspondence in this case to Jung-hua Kuo Attorney at Law at the address indicated below:

c/o PortfollioIP
P.O. Box 52050, Minneapolis, MN 55402
Telephone No. 650-988-8070

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Miguel A Guerrero
Citizenship: Spain Residence: Fremont, CA
Post Office Address: 47079 Benms Terrace
Fremont, CA 94539

Signature: Miguel A Guerrero Date: 5/11/04

Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor number 2 : Rahul Saxena
Citizenship: United States of America Residence: Sunnyvale, CA
Post Office Address: 870 E. El Camino Real
Apt 422
Sunnyvale, CA 94087

Signature: _____

Rahul Saxena

Rahul Saxena

Date: _____

05/10/2004

Full Name of joint inventor number 3 : Chien-Hsin Lee
Citizenship: Taiwan, R.O.C. Residence: Folsom, CA
Post Office Address: 1296 Freswick Drive
Folsom, CA 95630

Signature: _____

Chien-Hsin Lee

Date: _____

Full Name of joint inventor number 4 : Muralidharan S Chitukoor
Citizenship: India Residence: Bangalore, KA India
Post Office Address: 53/2 Hanumanthappa Layout, Sulthanpalya
Bangalore, KA 560032

Signature: _____

Muralidharan S Chitukoor

Date: _____

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IP MULTICAST PACKET BURST ABSORPTION AND MULTITHREADED REPLICATION ARCHITECTURE.**

The specification of which was filed on December 30, 2003 as application serial no. 10/749034.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anderson, Rob A.	Reg. No. 33,826	Hope, Libby	Reg. No. 46,774	Sayles, Crystal D.	Reg. No. 44,318
Bacon, Shireen	Reg. No. 40,494	Huter, Jeffrey B.	Reg. No. 41,086	Scott, Russell	Reg. No. 43,103
Barre, Michael	Reg. No. 44,023	Lam, Peter	Reg. No. 44,855	Shah, Arni P.	Reg. No. 42,143
Beale, Jay P.	Reg. No. 50,901	Lin, Issac	Reg. No. 50,672	Simon, David	Reg. No. 32,756
Brake, Edward	Reg. No. 37,784	Martinez, Anthony	Reg. No. 44,223	Stutman-Horn, Joni	Reg. No. 42,173
Burge, Ben	Reg. No. 42,372	McCall, Molly	Reg. No. 46,126	Tran, David	Reg. No. 50,804
Chen, George	Reg. No. 50,807	Mennemeier, Larry	Reg. No. 51,003	Travis, John F.	Reg. No. 43,203
Choi, Glen	Reg. No. 43,546	Nesheiwat, Michael J.	Reg. No. 47,819	Wells, Calvin	Reg. No. 43,256
Crawford, Ted A.	Reg. No. 50,610	Nicholls, Dennis A.	Reg. No. 42,036	Whittington, Stuart	Reg. No. 45,215
Diehl, Robert	Reg. No. 40,992	Parker, Lanny	Reg. No. 44,281	Willardson, Michael	Reg. No. 50,856
Draeger, Jeffrey S.	Reg. No. 41,000	Pedersen-Giles, Alan	Reg. No. 39,996	Wisor, Rita	Reg. No. 41,382
Gagne, Christopher	Reg. No. 36,142	Plimier, Michael D.	Reg. No. 43,004	Wong, Sharon	Reg. No. 37,760
Green, Sharmini N.	Reg. No. 41,410	Proksch, Michael	Reg. No. 43,021	Kuo, Jung-Hua	Reg. No. 41,918
Greenberg, Robert A.	Reg. No. 44,133	Reif, Kevin A.	Reg. No. 36,381		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Jung-hua Kuo Attorney at Law to the contrary.

Please direct all correspondence in this case to Jung-hua Kuo Attorney at Law at the address indicated below:

c/o PortfolioIP
P.O. Box 52050, Minneapolis, MN 55402
Telephone No. 650-988-8070

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: **Miguel A Guerrero**
Citizenship: **Spain** Residence: **Fremont, CA**
Post Office Address: **47079 Benns Terrace**
Fremont, CA 94539

Signature: _____ Date: _____
Miguel A Guerrero

[Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: INTCP007
Serial No. 10749034
Filing Date: December 30, 2003

Page 3 of 4

Full Name of joint inventor number 2: Rahul Saxena
Citizenship: United States of America Residence: Sunnyvale, CA
Post Office Address: 870 E. El Camino Real
Apt 422
Sunnyvale, CA 94087

Signature: _____ Date: _____
Rahul Saxena

Full Name of joint inventor number 3: Chien-Hsin Lee
Citizenship: Taiwan, R.O.C. Residence: Folsom, CA
Post Office Address: 1296 Freswick Drive
Folsom, CA 95630

Signature: Chien-Hsin Lee Date: 6/03/2004
Chien-Hsin Lee

Full Name of joint inventor number 4: Muralidharan S Chilkoor
Citizenship: India Residence: Bangalore, KA India
Post Office Address: 53/2 Hanumanthappa Layout, Sulthanpalya
Bangalore, KA 560032

Signature: _____ Date: _____
Muralidharan S Chilkoor

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IP MULTICAST PACKET BURST ABSORPTION AND MULTITHREADED REPLICATION ARCHITECTURE.**

The specification of which was filed on December 30, 2003 as application serial no. 10/749034.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anderson, Rob A.	Reg. No. 33,826	Hope, Libby	Reg. No. 46,774	Sayles, Crystal D.	Reg. No. 44,318
Bacon, Shirleen	Reg. No. 40,494	Huter, Jeffrey B.	Reg. No. 41,086	Scott, Russell	Reg. No. 43,103
Barre, Michael	Reg. No. 44,023	Lam, Peter	Reg. No. 44,855	Shah, Ami P.	Reg. No. 42,143
Beale, Jay P.	Reg. No. 50,901	Lin, Issac	Reg. No. 50,672	Simon, David	Reg. No. 32,756
Brake, Edward	Reg. No. 37,784	Martinez, Anthony	Reg. No. 44,223	Stutman-Horn, Joni	Reg. No. 42,173
Burge, Ben	Reg. No. 42,372	McCall, Molly	Reg. No. 46,126	Tran, David	Reg. No. 50,804
Chen, George	Reg. No. 50,807	Mennemeier, Larry	Reg. No. 51,003	Travis, John F.	Reg. No. 43,203
Choi, Glen	Reg. No. 43,546	Nesheiwat, Michael J.	Reg. No. 47,819	Wells, Calvin	Reg. No. 43,256
Crawford, Ted A.	Reg. No. 50,610	Nicholls, Dennis A.	Reg. No. 42,036	Whittington, Stuart	Reg. No. 45,215
Diehl, Robert	Reg. No. 40,992	Parker, Lanny	Reg. No. 44,281	Willardson, Michael	Reg. No. 50,856
Draeger, Jeffrey S.	Reg. No. 41,000	Pedersen-Giles, Alan	Reg. No. 39,996	Wisor, Rita	Reg. No. 41,382
Gagne, Christopher	Reg. No. 36,142	Plimier, Michael D.	Reg. No. 43,004	Wong, Sharon	Reg. No. 37,760
Green, Sharmini N.	Reg. No. 41,410	Proksch, Michael	Reg. No. 43,021	Kuo, Jung-Hua	Reg. No. 41,918

-I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Jung-hua Kuo Attorney at Law to the contrary.

Please direct all correspondence in this case to Jung-hua Kuo Attorney at Law at the address indicated below:

c/o PortfolioIP
P.O. Box 52050, Minneapolis, MN 55402
Telephone No. 650-988-8070

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Miguel A Guerrero
Citizenship: Spain Residence: Fremont, CA
Post Office Address: 47079 Benns Terrace
Fremont, CA 94539

Signature: _____ Date: _____
Miguel A Guerrero

Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor number 2 : Rahul Saxena
Citizenship: United States of America Residence: Sunnyvale, CA
Post Office Address: 870 E. El Camino Real
Apt 422
Sunnyvale, CA 94087

Signature: _____ Date: _____
Rahul Saxena

Full Name of joint inventor number 3 : Chien-Hsin Lee
Citizenship: Taiwan, R.O.C. Residence: Folsom, CA
Post Office Address: 1296 Freswick Drive
Folsom, CA 95630

Signature: _____ Date: _____
Chien-Hsin Lee

Full Name of joint inventor number 4 : Muralidharan S Chilukoor
Citizenship: India Residence: Bangalore, KA India
Post Office Address: 53/2 Hanumanthappa Layout, Sulthanpalya
Bangalore, KA 560032

Signature: C.S. Muralidharan Date: 29th June 2004.
Muralidharan S Chilukoor

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by § 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

In re application of Miguel A. Guerrero et al.

Serial No. 10/749,034

Filed: December 30, 2003

Title:

IP MULTICAST PACKET BURST CORRUPTION AND MULTITHREADED REPLICATION ARCHITECTURE

CONTENTS: Notice to File Missing Parts (2 pgs.), Communication Re: Missing Parts (1 pg.), signed Combined Declaration and Power of Attorney (12 pgs.), charge deposit account in the amount of \$ 130.00 which represents the Missing Parts Fee and transmittal document (1 pg.).

JK:mjm

Mailed: June, 22, 2004

Docket: INTCP007 (80107.081 US1)
Due date: June 29, 2004

